

REMARKS

In the Office Action mailed August 12, 2004, claims 1-43 were rejected. Claims 1-43 are now pending in the application. In view of the remarks, Applicant respectfully requests reconsideration of the application.

Examiner objected to Figures 1-7 because they fail to show uniform and legible numbers and references; and they fail to show uniform lines. Applicant has submitted replacement drawing sheets correcting these defects.

Claims 1-43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,650,534 (hereinafter Tree) in further U.S. Patent Application Publication No. US 2002/0007354 (hereinafter Deguchi). Applicant respectfully disagrees and notes that neither Tree nor Deguchi should not be considered a prior art reference under 103(a). Applicant submits the enclosed affidavit under 37 CFR 1.131 for showing that the present application, Tree, and Deguchi are commonly owned, therefore showing that neither Tree nor Deguchi are a prior art reference under 103(a).

Therefore, Applicant respectfully submits that Claims 1-43 are in a condition for allowance.

In view of the foregoing remarks, Applicant respectfully submits that all pending claims are in condition for allowance. Such allowance is respectfully requested.

If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to contact Richard H. Butler at (408) 223-9763.

Dated: 11/8/04

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Richard H. Butler', written over a horizontal line.

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